

APPLICANT(S): AMIR, Nehemia
SERIAL NO.: 09/120,973
FILED: July 22, 1998
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 7, 10, 11, 17-21, 23 and 28-54 are pending in the application. Claims 17-20 have been allowed. Claims 12-13 have been objected to. Claims 28-54 are withdrawn from consideration. Claims 7, 10, 11, 21 and 23 have been rejected. Claim 12 has been amended.

Claims 7, 10, 11, 21 and 23 have been canceled without prejudice. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

Allowable Subject Matter

In the Office Action, the Examiner stated that claims 12-13 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Claim 12 has been rewritten in independent form including all the limitations of the base claim (claim 11) and any intervening claims. Claim 13 depends directly from amended claim 12, which is now in allowable form.

Applicant notes that claims 12 and 13 were not listed by the Examiner in the Office Action dated 16 December 2004 as being pending. However claims 12-13 are currently pending, according to the Applicant's previous Office Action response of 5 August 2004.

Applicant respectfully asserts that the amendments to the claims add no new matter.

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Claim Objections

In the Office Action, the Examiner objected to claim 21 because of alleged informalities. Claim 21 has been cancelled therefore this rejection is now moot.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 7, 10, 11, 21 and 23 under 35 U.S.C. § 103(a), as being unpatentable over Bourmeyster et al. In view of Bourk.

As claims 7, 10, 11, 21 and 23 have been cancelled without prejudice, these rejections are now moot.

It should be noted that all the amendments and cancellations, in the present communication and in all previous communications, have been made in the interest of expediting the allowance of this application. Applicant reserves his rights in all the subject matter disclosed of the originally filed application, and any amendments made to date on any of the originally filed claims should be considered to be in response to prior art cited by the Examiner. Thus, Applicant reserves his right to file a continuation application with claims having the same or broader scope as those filed with the present application.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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Please charge any fees associated with this paper to deposit account No. 50-3400.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Vladimir Sherman', written over a horizontal line.

Vladimir Sherman
Attorney for Applicant(s)
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Dated: June 5, 2005

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09/120,973	07/22/1998	NEHEMIA AMIR	05026.0024	2803
27130	7590	05/24/2005	EXAMINER	
EITAN, PEARL, LATZER & COHEN ZEDEK LLP 10 ROCKEFELLER PLAZA, SUITE 1001 NEW YORK, NY 10020			GRIER LAURA A	
			ART UNIT	PAPER NUMBER

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27 MAY 2005
Pearl Cohen Zedek Latzer

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Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
01-06-2005
EITAN LAW GROUP



UNITED STATES PATENT AND TRADEMARK OFFICE

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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5-16-05 is considered non-compliant because it has failed to meet the requirements 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

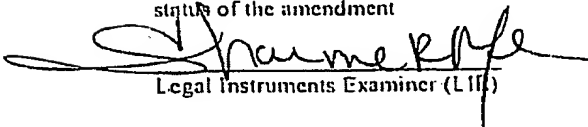
- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered)
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: Presently amended is not a proper status identifier

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/procnotice/officeflyer.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period of response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliance of the amendment.


Legal Instruments Examiner (LIE)

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